
POLICY NO. 53

WARDEN AND DEPUTY WARDEN POLICY

1. This Policy is entitled the “Warden and Deputy Warden Policy”.
2. This Policy shall be interpreted in accordance with and subject to applicable provincial legislation.
3. In this Policy:

“majority” means a majority of Councillors who are present at the meeting.
4. The Warden shall be elected by Council in accordance with the following process and rules:
 - (1) The Clerk shall preside as Chair at any meeting or portion of any meeting during which a Warden is elected.
 - (2) After announcing that the business of Council at the meeting is to elect a Warden, The Chair shall call for nominations. All nominations and secondings shall be made openly and publicly, by raising of the hand to attract the attention of the Chair and announcing the nomination or seconding of a candidate when called upon.
 - (3) A candidate may be nominated by any other Councillor, including a Councillor who is a nominator or seconder of a previously nominated candidate, or who is a previously nominated candidate.
 - (4) The Chair shall ask if there is a seconder for the nomination. Any Councillor except the nominator and the candidate may second the nomination. Failure to obtain a seconder shall result in the nominee’s name not being included in the list of candidates to be voted upon.
 - (5) Each nominee shall be asked if he or she consents to being nominated. If the nominee declines to give unconditional consent, the nominee’s name shall not be included in the list of candidates to be voted upon.
 - (6) The Chair shall repeatedly call for additional nominations until, after calling three successive times without a successful nomination, the Chair shall announce that nominations are closed.

- (7) When there is only one candidate, the Chair shall call for a motion to elect the Warden, and the candidate shall be elected Warden if the motion passes by majority vote.
- (8) When there is more than one candidate to be voted upon, the Chair shall prepare ballots with each candidate's name and shall distribute the ballots, one to each Councillor. Before the voting occurs, Council may by resolution appoint a scrutineer to verify the vote and to assist the Chair in connection with the vote.
- (9) The Councillors shall vote by placing a mark beside the candidate of their choice, and folding the ballot. A candidate may vote for himself or herself.
- (10) The ballots shall be collected and counted in a manner that preserves the confidentiality of each Councillor's ballot. The Chair shall only declare a ballot to be spoiled if the ballot does not disclose a clear preference in favour of any one candidate.
- (11) If, after any vote, the Chair determines that a majority has voted for any one candidate, the Chair shall announce the name of the Warden so elected, but shall not announce the number of votes obtained by any candidate. Ballots shall be destroyed immediately following the meeting.
- (12) If, after any vote, a majority has not voted for any one candidate, new ballots shall be prepared but the name of the candidate with the fewest number of votes on the previous vote shall be excluded from the new ballots. Voting shall continue in the same fashion until a Warden is declared elected by the Chair.
- (13) In the event of a tie or deadlock, the Chair shall fairly use the following methods firstly, in an effort to have the voting progress towards reducing the number of candidates to 2, and secondly in an effort to elect a Warden by a majority:
 - (a) If, with no candidate elected by majority, there is more than one candidate in a tie with the fewest votes, all such candidates in the tie shall be excluded from the new ballot unless their exclusion would result in less than 2 candidates remaining upon the ballot.
 - (b) The Chair shall ask if any candidate is prepared to withdraw his or her name from the next ballot.

- (c) Where three or more candidates remain, and one candidate had more votes than the others, a run-off ballot may be carried out amongst the others to see which candidate should progress to a final vote.
 - (d) The Chair shall call for a public vote, with each Councillor signifying his vote by voice and hand upon the Chair calling for votes for each candidate.
 - (e) The Chair may call for individual motions to elect as Warden one of the candidates, to determine whether a majority can be obtained in this fashion for any candidate, calling for such motions in a logical sequence beginning with candidates who attracted the greatest support on previous balloting, and otherwise using alphabetical order to determine the sequence in which the motions will be called for.
 - (f) After every reasonable effort by the Chair to find a candidate with majority support, the deadlock shall be broken by having the Chair place the names of the candidates on equal size pieces of paper in a box and having one name being drawn by a person chosen by the Chair.
5. The term of office of the Warden shall expire when the term of office of the Council expires following a general municipal election.

Deputy Warden

6. At the first regular meeting of Council following
- (1) a general municipal election;
 - (2) Council receiving notice of the resignation of a Deputy Warden;
 - (3) the Deputy Warden's removal from office in accordance with this Policy;
- or
- (4) the office of Deputy Warden otherwise becoming vacant

Council shall select from among its members a Deputy Warden in accordance with the process and rules set out in Section (4) of this Policy for electing a Warden, with any necessary changes for the context.

7. The term of office of the Deputy Warden shall expire when the term of office of the Council expires following a general municipal election.
8. The Deputy Warden may resign and may cease to be qualified to hold office in the same manner as stipulated in respect of Councillors in applicable legislation.
9. The Deputy Warden may be removed from office by Council by a vote of two-thirds of the Council Members after 20 days notice in writing has been provided to the Clerk and Council Members.
10. Duties and responsibilities of the Warden and Deputy Warden are as follows:

The Warden:

- shall act as spokesperson on behalf of the Barrington Municipal Council.
(Any other councillor may also act as spokesperson, if authorized to do so by Council.)
- shall chair council meetings.
- shall be ex-officio member of all committees of council, however, shall not be permitted to vote.
- shall attend functions, held within the Municipality, on behalf of Council at no cost to the Municipality. Such functions shall include – annual volunteer banquet, graduation ceremonies, Lobster Festival opening, exhibition openings, Terry Fox ceremonies, etc. The Warden shall also be responsible for signing municipal cheques. At times the Warden may be required to attend at the office for this purpose.

The cost to attend such functions and to perform such duties is considered incidental expenses and is covered by the 1/3 municipal officer's expense allowance provided for by Federal Legislation - Canada Customs and Revenue Agency.

- shall be paid mileage to attend functions held outside the Municipality, if Council approval is received.
- shall serve on outside committees and boards, as approved by Council, such as, the Roseway Hospital Charitable Foundation, SWSDA, etc. Travel claims shall be submitted for payment, if not paid by the outside committee or board. Any remuneration paid by the outside committee or board shall be given to the Municipality.

The Deputy Warden:

- shall act in the absence or inability of the Warden unless an alternate has been appointed by Council.

